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State of California
DEPARTMENT OF JUSTICE



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May 20, 2019

VIA ELECTRONIC MAIL: 72290-74430382@requests.muckrock.com

Anonymous Requester
MuckRock News
DEPT MR 72290
411A Highland Avenue
Somerville, Massachusetts 02144-2516

RE: Public Records Requests Received April 29, 2019 (DOJ PRA 2019-01000) and
May 8, 2019 (DOJ PRA 2019-01084) – Anonymous Person

Dear Sir or Madam:

This letter is in response to your recent correspondences, which were received by the California Department of Justice on April 29, 2019, and May 8, 2019, in which you sought records under the California Public Records Act (Gov. Code, § 6250 et seq.). The date to respond to your first request was extended to May 23, 2019 by letter sent to your email address on May 7, 2019.

Specifically, you requested the following in your first request (received April 29, 2019):

Electronic copies, via email, of all email, calendar invites, text/SMS/MMS/instant messages, or memos sent, written, or received between January 1, 2017 and 2019-04-27(inclusive), to or from (1) any employee or officer and (2) any of the following:

- R1. Donald Trump,
- R2. Barack Obama
- R3. Mick Mulvaney
- R4. Rahm Emanuel
- R5. Denis McDonough
- R6. Melania Trump
- R7. Michelle Obama
- R8. Eric Holder
- R9. Loretta Lynch

- R10. Sally Yates*
- R11. Dana Boente*
- R12. Jeff Sessions*
- R13. Matthew Whitaker*
- R14. William Barr*
- R15. Robert Mueller*
- R16. Rod Rosenstein*
- R17. Zachary Fuentes*
- R18. John Kelly*
- R19. Reince Priebus*
- R20. John R. Bolton*
- R21. Kirstjen Nielsen*
- R22. Kevin McAleenan*
- R23. Kevin Hassett*
- R24. Timothy Harleth*
- R25. Marcia Lee Kelly*
- R26. James W. Carroll*
- R27. Kelvin Droegemeier*
- R28. Robert Lighthizer*
- R29. Dan Scavino*
- R30. Sarah Sanders*
- R31. Katrina Pierson*
- R32. Ivanka Trump*
- R33. Peter Navarro*
- R34. Larry Kudlow*
- R35. Stephen Miller*
- R36. Jared Kushner*
- R37. Kellyanne Conway*
- R38. Emma Doyle*
- R39. Pat Cipollone*
- R40. Jay Sekulow*
- R41. Rudy Giuliani*
- R42. Emmet Flood*
- R43. Johnny DeStefano*
- R44. any email address ending in whitehouse.gov or eop.gov not included above,*
- R45. any employee of the Executive Office of the President of the United States, the White House Office, or the Office of Management and Budget not included above*
- R46. any employee or officer of the US Office of the Attorney General, US Office of the Deputy Attorney General, and the Special Counsel's Office not included above*

Electronic copies, via email, of all agreements either executed OR in effect at any time from January 1, 2017 to 2019-04-27(inclusive) with any of the following:

- R47. US Dept of Homeland Security*
- R48. Federal Bureau of Investigation.*
- R49. US Marshals*
- R50. Drug Enforcement Administration*
- R51. Customs and Border Protection*
- R52. Immigration and Customs Enforcement*
- R53. Alcohol, Tobacco and Firearms*
- R54. Joint Terrorism Task Force*
- R55. Northern California Regional Intelligence Center (NCRIC)*
- R56. San Diego Law Enforcement Coordination Center*
- R57. Orange County Intelligence Assessment Center*
- R58. Los Angeles Joint Regional Intelligence Center*
- R59. Central California Intelligence Center*
- R60. US Secret Service*
- R61. CIA*
- R62. NSA/CSS*
- R63. Department of Defense*

In your second request (received May 8, 2019), you specifically requested the following:

Electronic copies, via email, of all email, calendar invites, text/SMS/MMS/instant messages, or memos sent, written, or received between January 1, 2017 and the date of receipt of this request (inclusive), between (using to/from/cc/bcc) (1) any agency employee or officer and (2) any of the following:

- R3. THE TRUMP ORGANIZATION, INC.*
- R4. TRUMP ORGANIZATION LLC*
- R5. THE TRUMP CORPORATION*
- R6. DJT HOLDINGS LLC*
- R7. a) THE DONALD J. TRUMP REVOCABLE TRUST, b) Donald J. Trump Foundation, and c) Eric Trump Foundation*
- R8. Trump Golf*
- R9. Trump Hotels*
- R10. Trump University*
- R11. Trump International Realty*
- R12. the owners or operators of Trump Tower*
- R13. the owners or operators of Trump International Golf Club*
- R14. the owners or operators of Trump National Golf Club Mar a Lago*
- R15. HIGHER GROUND LLC*
- R16. SOUNDBREAKING LLC*
- R17. HIGHER GROUND PRODUCTIONS LLC*

Electronic copies, via email, of all agreements, either executed OR in effect, at any time from January 1, 2017 to and the date of receipt of this request (inclusive), between your agency or any of its subordinate units and any of the following:

- R68. THE TRUMP ORGANIZATION, INC.*
- R69. TRUMP ORGANIZATION LLC*
- R70. THE TRUMP CORPORATION*
- R71. DJT HOLDINGS LLC*
- R72. a) THE DONALD J. TRUMP REVOCABLE TRUST, b) Donald J. Trump Foundation, and c) Eric Trump Foundation*
- R73. Trump Golf*
- R74. Trump Hotels*
- R75. Trump University*
- R76. Trump International Realty*
- R77. the owners or operators of Trump Tower*
- R78. the owners or operators of Trump International Golf Club*
- R79. the owners or operators of Trump National Golf Club Mar a Lago*
- R80. HIGHER GROUND LLC*
- R81. SOUNDBREAKING LLC*
- R82. HIGHER GROUND PRODUCTIONS LLC*
- R83. United States Department of Justice*
- R91. INTERPOL (International Criminal Police Organization)*
- R93. Bureau of Diplomatic Security*
- R94. Bureau of Indian Affairs Police*
- R95. Bureau of Industry and Security*
- R96. Bureau of Land Management Office of Law Enforcement and Security*
- R97. United States Coast Guard Police*
- R98. Computer Crime and Intellectual Property Section*
- R99. Defense Logistics Agency Police*
- R102. Department of the Army Civilian Police*
- R104. Federal Air Marshal Service*
- R106. Federal Flight Deck Officer*
- R107. Federal Protective Forces*
- R108. United States Border Patrol*
- R109. Federal Reserve Police*
- R110. Financial Crimes Enforcement Network*
- R111. United States Coast Guard*
- R112. United States Fish and Wildlife Service Office of Law Enforcement*
- R113. United States Government Printing Office Police*
- R114. United States Department of Homeland Security*
- R115. US Internal Revenue Service*
- R116. Hoover Dam Police*
- R117. National Drug Intelligence Center*

R118. *National Gang Intelligence Center*
R119. *National Institutes of Health Police*
R120. *National Security Agency Protective Services*
R121. *National Zoological Park Police*
R122. *United States Naval Academy Police Department*
R123. *Office of Criminal Investigations*
R124. *Office of Export Enforcement*
R125. *Pentagon Force Protection Agency*
R126. *United States Pentagon Police*
R127. *Smithsonian Police*
R128. *Supreme Court Police*
R129. *United States Air Force Office of Special Investigations*
R130. *United States Forest Service*
R131. *United States Department of Veterans Affairs Police*
R132. *Violent Crime Impact Teams*

Electronic copies, via email, of: R133. the copy of this request as you originally received it, with all parts and attachments.

As an initial matter, we note that your request includes communications with persons not named in the request, such as unnamed employees of companies or organizations, and electronic communications with named persons and entities without specific email addresses. Our records are not maintained, indexed, or categorized according to the parameters or descriptors identified in your request. Unspecific and unfocused requests for government records under the Act are contrary to the purposes of the California Public Records Act, and requestors should provide specific, focused requests in order to give agencies a reasonable opportunity to respond. General, unfocused requests compel agencies to deny them thereby leading to litigation. The request to the agency must itself be focused and specific. (*Rogers v. Superior Court* (1993) 19 Cal.App.4th 469, 481.) For these reasons, we must decline your requests as currently cast to the extent the requests seek communications with unnamed persons, or electronic communications with named persons or entities without specific email addresses.

To the extent your request seeks confidential law enforcement records of the Attorney General, the records are exempt. Government Code section 6254, subdivision (f) expressly exempts from disclosure investigatory and security files of the Attorney General including complaints about unlawful practices. (See *Dick Williams v. Superior Court* (1993) 5 Cal.4th 337, 354.) Investigative records do not lose their exempt status due to a failure to prosecute, or the close of an investigation. (*Id.* at p. 355 [While there may be reasons of policy that would support a time limitation on the exemption for investigatory files, such a limitation is virtually impossible to reconcile with the language and history of subdivision (f).].)

The Gambling Control Act provides that the Bureau of Gambling Control “shall maintain a file of all applications for licenses” and that the file is “open to public inspection.” (Bus. & Prof. Code, § 19821, subd. (b).) The Gambling Control Act specifies that except as provided

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therein, the records of the Bureau are exempt from disclosure under the California Public Records Act. (Cal. Bus. & Prof. Code, § 19821, subd. (c).) Business and Professions Code section 19821, subdivision (d), further specifies that it is unlawful for an official or employee of the Department to knowingly disclose or furnish records or information to a person not authorized by law to receive them, except as necessary for the administration of the Gambling Control Act. A review of your records requests suggest no applicable exception to the general exemption from Bureau disclosure under the California Public Records Act set forth in Business and Professions Code section 19821, subdivision (c). For the foregoing reasons, your requests for records under the California Public Records Act is denied to the extent the requests seek records of the Bureau of Gambling Control. (See also Gov. Code, § 6254, subd. (k).)

We have determined that we possess records responsive to your requests, and such records that are not exempt from disclosure under the California Public Records Act will be provided to you by July 22, 2019.

Sincerely,



DEBORAH C. YANG
Deputy Attorney General

For XAVIER BECERRA
Attorney General